

REMARKS

In response to the non-final Official Action of April 4, 2007, claims 1, 15 and 16 have been amended and claims 27-29 are newly submitted.

With respect to the claim amendments, support is found in the original application as filed, including page 4, lines 21-23, as well as in the figures, including Figure 2b.

Support for the newly submitted claims is also found in the original application as filed, including page 14, lines 16-21, as well as Figure 4. Reconsideration of the application in light of this amendment is earnestly solicited.

Claim Rejections - 35 USC §112

At paragraph 3, claims 1-12 and 14-16 are rejected under 35 USC §112, first paragraph as based on a disclosure which is not enabling. It is asserted that the phrase "course of motion" is vague and omits essential elements and requires clarification. Applicant respectfully disagrees.

As has been clearly pointed out in *Phillips v. AWH Corporation*, 415 F.3d 1303, 75 USPQ2d 1321 (CAFC 2005), the ordinary and customary meaning of a claim term is the meaning that the term would have to a person of ordinary skill in the art in question at the time of the invention; that is, as of the effective filing date of the application (*Phillips* 415 F.3d 1303, 1328). The Court in *Phillips* further makes clear that a person of ordinary skill in the art is deemed to have read the claim term not only in the context of the particular claim in which the disputed term appears, but in the context of the entire patent, including the specification (*Phillips* 415 F.3d 1303, 1326).

In the present application, the term "course of motion" is defined at numerous places in the specification. For example, at page 6, lines 1-18 and in original claim 5, it is stated that the course of motion is performed on the user interface (UI) by dragging an element that is displayed on the UI. At page 6, line 25 through page 7, line 2, it is stated that for an embodiment of the invention, the course of motion is performed on the user interface by drawing a gesture on the user interface. At page 14, lines 16-21, it is stated that for an embodiment of the invention, a course of motion is performed either by dragging or drawing a

gesture on a touch screen display or by writing or drawing characters with a display interaction means, such as a joystick or track ball.

It is therefore respectfully submitted that the term "course of motion" is clearly defined in the specification and is enabling; that is, sufficient information is provided in the specification and accompanying drawings so as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the invention (see 35 USC §112, first paragraph). Applicant therefore respectfully requests reconsideration of the rejection of claims 1-12 and 14-26 under 35 USC §112, first paragraph.

At paragraph 5, claims 1-12 and 14-26 are rejected under 35 USC §112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Specifically, it is recited that the limitation "course of motion" is confusing. For the reasons presented above, it is respectfully submitted that the term "course of motion" is clearly defined in the specification and drawings and therefore clarification of the term is unnecessary. Reconsideration of the rejection of claims 1-12 and 14-26 under 35 USC §112, second paragraph is earnestly solicited.

Claim Rejections - 35 USC §101

At paragraph 7, claims 1-11 are rejected under 35 USC §101 as directed to non-statutory subject matter; specifically, that "it appears the limitations of said claim[s] are merely claiming statements defining various items, . . .". Applicant respectfully disagrees with this rejection.

Specifically, claim 1 as originally filed and as amended herein, is directed to a method for changing an orientation of a user interface and is not directed to a data structure. The second feature recited in claim 1 is directed to changing the orientation of a user interface with respect to a device in which the user interface is integrated and that this changing or orientation is in accordance with the detected course of motion.

Clearly, this recites an action as does the first feature recited in claim 1; namely, detecting a course of motion that is performed on a user interface. 35 USC §101 specifically enumerates that a new and useful process defines patentable subject matter. Here there is clearly a process defined in claim 1 as noted above with regard to the recited actions specified

in claim 1 and therefore claim 1 and claims 2-11, which ultimately depend from claim 1, are believed to define statutory subject matter. Reconsideration of this rejection is therefore earnestly solicited.

Claim Rejections - 35 USC §102

At paragraph 9, claims 1-26 (should be 1-12 and 14-26) are rejected under 35 USC §102(e) as anticipated in view of US patent application publication 2003/0184525, Tsai. It is asserted with respect to claim 1 that Tsai discloses a method for changing an orientation of a user interface comprising detecting a course of motion that is performed on said interface and changing said orientation of said user interface with respect to a device said user interface is integrated, in accordance to said detected course of motion.

For the reasons presented below, it is respectfully submitted that Tsai does not disclose or suggest claims 1-12 and 14-26 as amended herein, as well as newly submitted claims 27-29.

More particularly, Tsai discloses a method for image processing for an image displayed on a touch panel, wherein a dragging path generated by a user touching and dragging from a first point to a second point on a surface of the touch panel is obtained, a rotation angle according to a relative position between the first and second points on the surface of the touch panel is determined, and the image is rotated with the rotation angle and is displayed on the touch panel. This is shown in Figures 2A-2C of Tsai and is described at paragraphs 0020 through 0024.

As shown in Figure 2A of Tsai, the surface of the panel (21) is geometrically divided in one embodiment into four quadrants (Q1-Q4) and, as shown in Figure 2B, the user may drag on the panel from a first point (P1) in a first quadrant (Q1) to a second point (P2) in a second quadrant (Q2), and then dragging a path D with a starting point (P1) and an ending point (P2). A rotation angle between the first quadrant (Q1) and the second quadrant (Q2) is determined and the rotation of the image is performed (see paragraphs 0021 and 0022, as well as Figures 2A-2C).

Claim 1 has been amended to particularly point out and claim that the user interface is a touch screen display and further that the orientation of said touch screen display (that is, what

is displayed thereon) is changed by rotating the complete display and the input control logic. This is clearly seen in Figure 2b of the present invention and the accompanying description at page 12, line 28 through page 13, line 4. Specifically, the dragging element (5) as shown in the three images of the mobile phone device is dragged as shown in the first panel to the second panel and then the image is reoriented as shown in the third panel. The reorientation of the complete display is shown by the image of the person and also the orientation of the input control logic (dragging element 5) is also repositioned in the third panel corresponding to the reorientation of the complete display. Such a feature is not disclosed or suggested in Tsai which does not show a dragging element, but rather uses the drawing motion by a user for determining the reorientation of the display. Thus, in Tsai, only the display, but not the input control logic is rotated in response to the detected course of motion.

It should be noted that by reorienting the complete display and the input control logic results in the advantageous feature of the present invention, in that the display can be conveniently used via the input control logic even when the display is rotated because not only the display but also the input control logic which may, for example, comprise elements such as touch screen menus, are reoriented and displayed according to the present invention. Thus, the problem solved by the present invention is a method and device that allows for a more convenient change of an orientation of a display of a user interface, as well as the input control logic associated therewith.

Tsai does not provide a person of ordinary skill in the art with any suggestion that both the display and the input control logic have to be reoriented in order to allow a more convenient use of the device. This is due to the fact that only rotation of the display is disclosed in the prior art where the input control logic of the touch screen is not rotated. In Tsai, the object of the invention is to rotate an image displayed on the panel without changing the orientation of the device itself (see Figures 2A-2C of Tsai), so that in Tsai there is not need for changing an orientation of an input control logic associated with the device. Such a change would actually be contradictory to the non-rotated device as clearly evident in Figure 2C of Tsai where the orientation of the display is changed but not of the input controls, because the device itself is not rotated.

For all of the foregoing reasons, it is therefore respectfully submitted that claim 1, as amended, is not anticipated or suggested by Tsai.

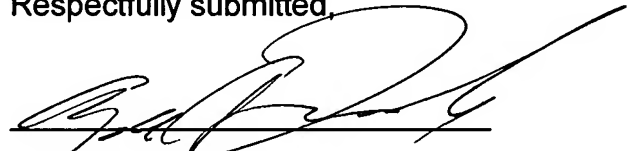
Similar amendment has been made to independent device claim 15 and independent device claim 26 and therefore these claims are also believed to be not anticipated or suggested by Tsai.

Since each of the independent claims are believed to be distinguished over Tsai, it is respectfully submitted that all of the dependent claims which ultimately depend from these independent claims, are further not anticipated or suggested by Tsai.

Newly submitted claims 27-29 respectively recite with respect to each of the independent claims that the course of motion is performed on said user device by at least one of dragging an element that is displayed on said user interface and drawing a gesture on said user interface. Each of these claims is believed to be not anticipated or suggested by Tsai due to its dependency from an independent claim which is believed to be allowable.

It is therefore respectfully submitted that the present application as amended is in condition for allowance and such action is earnestly solicited.

Respectfully submitted,



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